IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO.284 OF 2006

Bhalchandra Shripad Pradhan ...Appellant
Vs.
The Collector of Kolhapur & Ors. ...Respondents

Mr.N.V.Walawalkar,Sr.Adv. i/b Mr.T.S.Ingale for the Appellant
Mr.Y.M.Nakhawa,A.G.P. for the Respondent No.1.
Mr.Wamanrao N.Yande a/w Mr.S.A.Sawant for Respondent No.2

CORAM: A.S.OKA, J.
DATED: MAY 5,2006.

P.C.:

1. Heard the learned Counsel for the parties. The Appeal is by the original Plaintiff. A suit filed by the Appellant was dismissed and in an Appeal preferred to the District Court, the decree of the Trial Court has been confirmed. The Appellant claims right of management of a temple and prayed for handing over of the management of the temple. The temple has been duly registered as a public trust and by exercising power under Chapter VII A of the Bombay Public Trusts Act, 1950 the management of the said temple has been vested in Western Maharastra Devasthan Management Committee.

2. After having heard the learned Senior Counsel for the Appellant and the learned Counsel for the Respondents, I find that the Appellant has absolutely no right to act as Manager or Vahivatdar of the temple. There are concurrent findings of fact recorded by the Courts below. No substantial question of law arises. Second Appeal is dismissed with no order as to costs.

3. Notwithstanding the dismissal of the Appeal, the Appellant will be at liberty to make appropriate application to the State Government and Western Maharashtra Devasthan Management Committee.

Judge.